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NOTES OF CASES.

Liability of Master for Wrongful Acts of Servant.—Defendant's servant, who was a caretaker of his island in Lake Champlain, was instructed to keep off trespassers. In obedience to such instruction, he refused to permit plaintiff to tie up his sloop to defendant's dock during a storm, by reason of which the sloop and her cargo were lost, and plaintiff and his family thrown into the sea and injured. In *Ploof v. Putnam*, 75 Atlantic Reporter, 277, the Supreme Court of Vermont, concludes that the servant's act was within the scope of his agency and done for the master's benefit. In reaching this conclusion, the court says that when the servant cast off the plaintiff's rope he was doing an act within the scope of his employment, and one which under ordinary circumstances would be proper and lawful, but in the peculiar circumstances then existing was improper and unlawful, and the defendant was responsible whether the act was done carelessly or wilfully, unless it was done from the caprice of the servant. It did not appear, however, that the servant had any personal interest to serve or that in the slightest degree he turned aside from the line of duty as he then understood it. This case was up at a former term in 71 Atlantic Reporter, 188, where a decision overruling a demurrer to the declaration was affirmed.

Liability of Telephone Company for Delay in Reporting Connection.—Plaintiff, on discovering his factory on fire, went immediately to the telephone to give a fire alarm. No one responded, though he called and worked the receiver for nine or ten minutes. He then handed the receiver to his wife, and started for the fire department. He met the hose cart on the way, the department having been called by a neighbor. The call was put in about 1:30 o'clock a. m. When the firemen reached the scene the fire was beyond control. In *Volquardsen v. Iowa Telephone Company*, 126 Northwestern Reporter, 928, the Supreme Court of Iowa holds that the telephone company was not liable because the destruction caused by the fire was not in direct proximate result of defendant's negligence, if any, in failing to provide prompt connection.

Women's Lodges, Counterfeit Money, etc.—A grass widow named Mrs. Robertson had an intimate acquaintance with one Foster, a young married man. Foster told her that if she would pay him \$100 he would cause her to be initiated into a lodge, and she would there receive \$500 in counterfeit money. They were to go to another town, where the initiation was to take place. She met him privately at the depot, and gave him \$10 to purchase a ticket. He did so for \$3.15, and kept the change. Later she gave him \$20 to buy a mileage book, and he again did likewise. Arriving at their destination, she gave him \$100 with which he went to get the \$500 in spurious currency. He